

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NORMAN WESLIN,

Defendant.

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CASE NO. 8:06CR165

ORDER

This matter is before the Court on the Plaintiff's motion for a special trial setting and a request for a conference pursuant to Federal Rule of Civil Procedure 17.1 (Filing No. 40). The motion was granted (Filing No. 41), and a conference was held on February 27, 2007, with counsel Douglas Semisch appearing on behalf of the Plaintiff, the United States of America, and counsel Martin Cannon, Jr. appearing on behalf of the Defendant, Norman Weslin. The Defendant was not ordered to appear and did not appear.

Upon the request of both parties, the Court granted a special setting for the trial of this matter. Accordingly, trial will commence on Tuesday, April 3, 2007, beginning with a conference in chambers at 8:30 a.m. Counsel for both parties agreed that the setting is acceptable. Based on representations of both counsel regarding the anticipated time needed for the presentation of evidence, the trial should be concluded before the end of the day on April 6, 2007. Counsel for the Defendant agreed that the Defendant will file a written waiver of speedy trial, waiving all time from February 27, 2007, to April 3, 2007.

Counsel for the government moved orally in limine to preclude the Defendant from presenting evidence or argument on the theory of "necessity" as a defense to the prosecution. Counsel for the Defendant stated that no such defense will be asserted. Accordingly, the motion was granted.

Fifty (50) jurors will be summoned for the jury pool. On or before March 29, 2007, counsel for both parties may file with the Court proposed questions for the jury, asking that the Court present the questions to the jurors during the Court's voir dire. Counsel for each party will be allowed thirty (30) minutes for voir dire, and may request more time, if necessary.

IT IS ORDERED:

1. Trial will commence April 3, 2007, beginning with a conference in chambers at 8:30 a.m.;
2. The Defendant, Norman Weslin, will file a waiver of speedy trial, excluding from the speedy trial calculation all time from February 27, 2007, to April 3, 2007;
3. The government's oral motion in limine regarding the defense of "necessity" is granted, and the Defendant does not assert the defense of "necessity" and shall not present any evidence or argument based on that theory of defense;
4. Fifty (50) jurors will be summoned for the voir dire; and
5. On or before March 29, 2007, counsel may file any proposed questions for the Court's questioning of jurors, and counsel will each be permitted thirty (30) minutes for voir dire, with leave to request more time, as necessary.

DATED this 27th day of February, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge